UNITED
NATIONS

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Economic and Social
Council

Distr.
GENERAL

E/CN.4/1991/9
9 January 1991

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Forty-seventh session
Item 5 of the provisional agenda

VIOLATIONS OF HUMAN RIGHTS IN SOUTHERN AFRICA: REPORT OF THE AD HOC WORKING GROUP OF EXPERTS

Torture and inhuman treatment of children in detention in South Africa

Report of the Secretary-General

1. At its forty-fourth session, the General Assembly, on 15 December 1989, adopted resolution 44/143 entitled "Torture and inhuman treatment of children in detention in South Africa and Namibia" in which, inter alia, it requested the Commission on Human Rights to continue to pay special attention to this question and requested the Secretary-General to submit a report at its forty-fifth session on the implementation of this resolution. Consequently, the Secretary-General submitted a report (A/45/615) containing information received from United Nations bodies, specialized agencies and non-governmental organizations, as well as excerpts from the report of the Ad Hoc Working Group of Experts on southern Africa to the Commission on Human Rights at its forty-sixth session (E/CN.4/1990/6).

2. At its forty-fifth session, the General Assembly, on 14 December 1990, adopted resolution 45/144. Noting the report of the Secretary-General, the Assembly reiterated in this resolution its request to the Commission on Human Rights to pay special attention to the question of the detention, torture and other inhuman treatment of children in South Africa. It further requested the Secretary-General to submit a report to the General Assembly at its forty-sixth session on the implementation of this resolution.

3. The Commission on Human Rights, by resolution 1990/60 of 7 March 1990, terminated the mandate of the Working Group on the questions relating to Namibia, as provided for in Commission on Human Rights reslutions 1989/3, 1989/4 and 1989/5 of 23 February 1989, in view of the attainment of that country's independence scheduled for 21 March 1990.

4. The Commission on Human Rights, by resolution 1990/11 of 23 February 1990, inter alia, reiterated the condemnation of the detention, torture and inhuman treatment of children in South Africa as well as the demands expressed by the General Assembly in this regard; appealed to the international community to adopt concrete and effective measures to bring pressure to bear against the Government of South Africa until it dismantles apartheid and abandons all inhuman practices associated with this policy; and requested the Ad Hoc Working Group of Experts on southern Africa to pay special attention to the question of the detention, torture and other inhuman treatment of children in South Africa and report to the Commission on Human Rights at its forty-seventh session. In operative paragraph 10 of the same resolution, the Commission requested the Secretary-General to intervene with the Government of South Africa in order to bring to an end the detention, torture and other forms of inhuman treatment of children in South Africa, and to report on the outcome of his efforts to the Commission at its forty-seventh session.

5. By a note verbale dated 22 March 1990, the Secretary-General drew the content of Commission resolution 1990/11 to the attention of the Minister of Foreign Affairs of the Republic of South Africa and, in view of his reporting responsibilities under the resolution, requested the Minister of Foreign Affairs to provide him with any information the South African Government would wish to give on the implementation of the resolution. The Secretary-General further stated that it would be appreciated if such information could reach the Centre for Human Rights by 13 November 1990. At the time of the preparation of this report, no reply had been received from the Government of the Republic of South Africa.

6. In addition to the information already contained in the report of the Secretary-General to the General Assembly at its forty-fifth session (A/45/615), the Commission's attention is drawn to the final report which the Ad Hoc Working Group of Experts on southern Africa has submitted to the present session of the Commission (E/CN.4/1991/10). Paragraphs 213 to 228 of this report contain information on the question of the treatment of children in South Africa.